



U.S. Department of Justice

Federal Bureau of Prisons

Washington, DC 20534

May 10, 2013

MuckRock News
Attn: Michael Morisy
DEPT MR 3222
PO Box 55819
Boston, MA 02205-5819

For Further Inquiry Contact:
Federal Bureau of Prisons
320 First Street N.W.
Room 841, HOLC Building
Washington, D.C. 20534
Attn: FOIA/Privacy Act Section

RE: Freedom of Information Act Request No. 2013-05584

Dear Mr. Morisy:

This is in response to your Freedom of Information Act request for copies of contracts with Booz Allen Hamilton over the past 5 years, as well as any final reports generated and delivered by Booz Allen Hamilton to the agency over the past 5 years.

In your request letter, you ask for a fee waiver on the grounds that the requested documents will be made available to the general public free of charge as part of the public information service at MuckRock.com, is being processed by a representative of the news media/press and is being made in the process of news gathering and not for commercial use.

The statutory test for evaluating a fee waiver request is whether the release of the information "is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester," in which event a fee waiver or reduction is required by law. See 5 U.S.C. § 552(a)(4)(A)(iii).

The six factors considered in the determination as to whether a sufficient contribution to public understanding of government operations or activities would result from disclosure, so as to warrant the granting of a fee waiver are as follows:

1) whether the subject of the requested records concerns "the operations or activities of the government;"

2) whether the disclosure is "likely to contribute" to an understanding of government operations or activities;

3) whether disclosure of the requested information will contribute to the understanding of the general public at large;

4) whether the disclosure is likely to contribute "significantly" to public understanding of government operations or activities;

5) whether the requester has a commercial interest that would be furthered by the requested disclosure; and

6) whether any such commercial interest outweighs the public interest in disclosure.

We carefully analyzed the above six factors as they applied to the circumstances of your request. There is no evidence that releasing the information to you will significantly contribute to the understanding of government operations or activities of the general public at large. Therefore, we are denying your request for a fee waiver.

We have estimated this request will involve the duplication of 414 pages. In accordance with 28 C.F.R. §16.11, the duplication fee for this request is \$31.40 (10 cents per page; first 100 pages are free of charge).

In accordance with 28 C.F.R. §16.11(e), you must first indicate your willingness to pay fees in the amount of **\$31.40** before we begin processing your request. You do not have to send payment at this time. In the alternative, you can narrow the scope of your request to meet your needs at a lower cost. Additionally, in accordance with 28 C.F.R. §16.11(e), until you agree to pay this fee, or you reformulate what you seek, this request will not be considered as received and no further action will be taken.

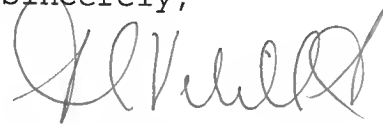
Should you wish to narrow the scope of your request to reduce the cost, you can forward the modification to the above address within thirty (30) days.

Pursuant to 28 C.F.R. § 16.9, you may appeal this fee waiver denial to the Attorney General. You must make your appeal in writing

and it must be received by the Office of Information Policy within sixty (60) days of the date of the letter denying your request. The appeal should be addressed to the Office of Information Policy, U.S. Department of Justice, 1425 New York Ave., NW, Suite 11050, Washington, D.C. 20530-0001. Both the envelope and the letter of appeal itself must be clearly marked: "Freedom of Information Act Appeal."

If you have any questions, please contact the undersigned at 202-514-6655.

Sincerely,

A handwritten signature in dark ink, appearing to read 'A. Velilla-Arce', with a stylized flourish at the end.

Ana L. Velilla-Arce, CIPP/G
Senior Paralegal for
Wanda M. Hunt
Chief, FOIA/PA Section